

### REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated June 4, 2008 has been received and its contents carefully reviewed.

Claims 1-5 and 15 are hereby amended. Claims 36-40 are hereby added. Claim 6 is hereby canceled. Accordingly, claims 1-5 and 7-40 are currently pending. Reexamination and reconsideration of the pending claims are respectfully requested.

**Claims 1-6, 8-18 and 20-35 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 3,770,376 to Sharpe (hereinafter “*Sharpe*”).** *Office Action* at p. 2, ¶ 3. Claim 6 is canceled herein. Accordingly, the rejection of that claim is moot. Applicant respectfully traverses this rejection and requests reconsideration.

Independent claims 1-5 are allowable over the cited references, in that claims 1-5 similarly recite a combination of elements including, at least, “supplying water to a tub while rotating the tub without introduction of laundry into the tub” and “soaking the contaminants for a predetermined time period by holding water in the tub stationary.”

As required in Chapter 2143.03 of the MPEP, in order to “establish prima facie obviousness of the claimed invention, all the limitations must be taught or suggested by the prior art.” The Applicant submits that *Sharpe* does not teach or suggest each and every element recited in claims 1-6, 8-18 and 20-35.

The Office asserts that “*Sharpe* discloses rotating the tub while water is supplied to the tub.” *Office Action* at p. 4. The Office relies on col. 4, lines 25-30 of *Sharpe* to support this assertion. *Sharpe* teaches, however, that in the “19<sup>th</sup> impulse ... the timer motor starts when the water fill is completed.” *Sharpe* at col. 5, lines 30-32. It is not until the 20<sup>th</sup> impulse, that the timer switch contact is closed “to energize the main motor 52 in a direction to provide agitation of the agitator 44 at a slow speed setting predetermined by the speed selector dial 162 and switch 176.” *Sharpe* at col. 5, lines 32-37 and FIG.’s 3 and 4. As shown, the 20<sup>th</sup> impulse, where only

the agitator is rotated and not the tub, occurs after the 19<sup>th</sup> impulse. Thus, *Sharpe* does not teach or suggest “supplying water to a tub while rotating the tub without introduction of laundry into the tub,” as recited in independent claims 1-5.

Moreover, after the water supply is completed, the main motor is energized to “provide agitation of the agitator” and “[t]his dispenses the bleach gradually from cup 150 and agitator 44 to form a sanitizing solution with the warm water in the tub.” *Sharpe* at col. 5:34-39. Thus, rotation of the agitator is achieved by a rotation in a regular direction of the motor. During the rotation of the agitator, a circulation pump directly coupled to the motor also operates by the rotation of the motor to circulate the sanitizing solution within the washing machine. *See Sharpe* at col. 3, lines 1-4 and 15-26, and FIG. 3. As shown, these series of steps are defined as the “Rinse” portion of the sanitizing process. After the rinse portion, “[a]gitation is provided through the 21<sup>st</sup> timer impulse to distribute sanitizing solution” and thereafter the motor is reversed and reenergized “to rotate spin basket 28 and pump the sanitizing solution from the wash area within the spin basket.” *Sharpe* at col. 5:39-45 and FIG. 3. As shown, these steps are defined as the “Spin” portion of the sanitizing process. Therefore, the sanitizing solution could not be in a stationary condition during *Sharpe*’s sanitizing process because the agitator or the spin basket continuously operates through the rinse and spin portions after the water fill is completed. Accordingly, *Sharpe* does not teach or suggest “soaking the contaminants for a predetermined time period by holding water in the tub stationary,” as recited in independent claims 1-5.

For at least these reasons, Applicant respectfully requests that the Office withdraw the 35 U.S.C. §103(a) rejection of independent claims 1-5. Claims 8-10, 14-18 and 20-35 depend from independent claim 1 and claims 11-13 depend from independent claim 2. It stands to reason that the 35 U.S.C. §103(a) rejection of those dependent claims should be withdrawn as well.

**Claims 7, 10, 31, 33 and 34 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Sharpe* in view of KR 20010093969 to Kim (hereinafter “*Kim*”).** *Office Action* at p. 9, ¶ 4. Applicant respectfully traverses this rejection and requests reconsideration.

As set forth in the Office Action, *Kim* is used to disclose “a washing machine tub cleaning method wherein a water current is made to rise along the tub wall due to a rotating pulsator.” *Office Action* at p. 9. Therefore, *Kim* fails to cure the deficiencies of *Sharpe* with respect to independent claim 1. Claims 7, 10, 31, 33 and 34 are allowable at least by virtue of their dependency from claim 1.

**Claim 19 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Sharpe* in view of JP 2002346288 to Iwai et al. (hereinafter “*Iwai*”).** *Office Action* at p. 10, ¶ 5. Applicant respectfully traverses this rejection and requests reconsideration.

As set forth in the Office Action, *Iwai* is used to disclose “a method of using a washing machine including a housing unit for use with a sterilizing agent which includes a hydantoin halide compound for releasing a hypohalogenic acid by water contact.” *Office Action* at p. 10. Therefore, *Iwai* fails to cure the deficiencies of *Sharpe* with respect to independent claim 1. Claim 19 is allowable at least by virtue of its dependency from claim 1.

The application is in condition for allowance. Early and favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the

filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911.

Dated: October 3, 2008

Respectfully submitted,

By

  
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